

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Joe Wallace Peeples, III,

Case No. 4:17CV1879

Petitioner

v.

ORDER

United States Marshal,

Respondent

Petitioner Joe Wallace Peeples, III, a federal inmate at the Northeast Ohio Correctional Center (NEOCC), bring this habeas corpus action under 28 U.S.C. § 2241. Peeples seeks a transfer to a different prison on the ground that his safety was threatened by other NEOCC inmates, and that he is now being held in restricted custody for his own protection. He also complains that the conditions of his transport between NEOCC and the Western District of New York federal court are unsanitary and that he is not provided water.

Habeas corpus is not the appropriate vehicle to challenge the conditions of Peeples's confinement. *Preiser v. Rodriguez*, 411 U.S. 475, 498-99 (1973); *Luedtke v. Berkebile*, 704. F.3d 465 (6th Cir. 2013). To seek relief from these conditions, he must file a civil rights action.¹ Further, a prisoner has no constitutional right to be incarcerated in a particular prison or to be held under a specific security classification. *Olim v. Wakinekona*, 461 U.S. 238, 245 (1983); *Cash v. Reno*, 134 F.3d 370 (6th Cir. 1997) (Table).

¹

To bring a civil rights action, petitioner would have to file a complaint in a new case and either pay the \$400 filing fee or file a prisoner account statement with sufficient financial information for the Court to assess and collect the fee. 28 U.S.C. § 1915(b)(1).

It is, therefore,

ORDERED THAT:

1. The petition for a writ of habeas corpus (Doc. 1) be, and the same hereby is, denied;
2. Petitioner's pending motion (Doc. 3) be, and the same hereby is, denied as moot;
3. In accordance with 28 U.S.C. § 1915(a)(3), I hereby certify that an appeal from this decision would be frivolous, and no appeal will be allowed absent prepayment of the filing fee.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge